12th May 1954]

APPENDIX IV.

[Vide item III (3) on page 653 supra.]

L.C. BILL No. 8 OF 1954.

(As passed by the Council.)

A Bill to constitute a township for Courtallam in the Tirunelveli district and to provide for its administration and governance.

WHEREAS it is expedient to constitute a township for Courtallam in the Tirunelveli district and to provide for its administration and governance ; It is hereby enacted as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Courtallam Township Act, 1954.

(2) It shall come into force on such date as the State Government may, by notification in the *Fort St. George Gazette*, appoint (hereinafter referred to as the appointed date).

2. *Courtallam to be a township.*—(1) With effect on and from the appointed date, the area specified in the Schedule (being the area comprised within the jurisdiction of the Courtallam panchayat immediately before the appointed date) shall be a township, called the Courtallam township, and the State Government may, from time to time, by notification in the *Fort St. George Gazette*, alter the limits of the area specified in the Schedule and any such alteration shall have effect as if it had been made by this Act.

(2) (*a*) The Madras Village Panchayats Act, 1950 (Madras Act X of 1950) shall, with effect on and from the appointed date, cease to apply to the Courtallam township.

(*b*) Where the limits of the area specified in the Schedule are altered by notification under sub-section (1), the notification may also contain such provisions regarding the application or cesser of application of any enactment and the local authority which is to exercise, or cease to exercise, jurisdiction, in relation to the area included in or excluded from the Courtallam township, the apportionment and adjustment of assets and liabilities as between the local authorities concerned and other incidental or consequential matters, as the State Government may deem necessary or proper.

3. *Constitution and composition of committee for administration of Courtallam township.*—(1) For the purpose of administering the municipal affairs of the Courtallam township, the State Government shall, by notification in the *Fort St. George Gazette*, constitute a committee to be called the Courtallam Township Committee (hereinafter referred to as the Township Committee) consisting of eight members who shall be appointed by the State Government. Of the eight members aforesaid, not less than three shall be non-officials.

(2) The State Government shall appoint—

(*a*) one of the members of the Township Committee to be its Chairman; and

(*b*) another person (not being a member of the Township Committee) to be its Executive Officer.

(3) The Township Committee shall be a body corporate, having perpetual succession and a common seal, and subject to any restrictions or qualifications imposed by or under this or any other enactment, shall be vested with the capacity of suing and being sued in its corporate name, of acquiring, holding and transferring property, movable or immovable, of entering into contracts, and of doing all things necessary, proper or expedient for the purposes for which it is constituted.

4. *Application of Madras Act V of 1920 and other enactments to Courtallam township subject to specified modifications, additions and restrictions.*—(1) The State Government may, by notification in the *Fort St. George Gazette*, direct that any of the provisions of the Madras District Municipalities Act, 1920 (Madras Act V of 1920), or of any rules made thereunder or of any other enactment for the time being in force elsewhere in the State of Madras, but not in the Courtallam township, shall apply to it to such extent and subject to such modifications, additions and restrictions as may be specified in the notification.

(2) In particular and without prejudice to the generality of the foregoing provision, such notification may authorize—

(*a*) the Township Committee to levy all or any of the taxes and fees which may be levied by virtue of the provisions applied to the township under this section; and

(*b*) the Executive Officer of the Township Committee to exercise and perform in regard to the township, the powers and duties assigned to the executive authority of a municipality under the provisions applied as aforesaid, subject to such restrictions, limitations and conditions and to such control, if any, as may be specified in the notification.

(3) The notification made by the State Government under sub-section (1) in the *Fort St. George Gazette* shall have effect as if enacted in this Act. The said notification shall, as soon as possible after it is made, be placed on the table of both Houses of the Legislature of the State for 14 days and shall be subject to such modifications whether by way of repeal or amendment as the Legislature may make during the session in which it is so laid.

5. *Transfer of property, rights and liabilities of Courtallam panchayat to the township.*—(1) All property, all rights of whatever kind used, enjoyed or possessed by, and all interests of whatever kind owned by or vested in, or held in trust by or for the Courtallam panchayat as well as all liabilities legally subsisting against it shall, on and from the appointed date, stand transferred to the Township Committee.

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(2) All arrears of taxes or other payments by way of composition for a tax or due for expenses or compensation or otherwise due to the Courtallam panchayat immediately before the appointed date may be recovered by the Township Committee.

(3) All proceedings taken by or against the Courtallam panchayat may be continued by or against the Township Committee.

6. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order do anything which appears to them necessary for the purpose of removing the difficulty.

THE SCHEDULE.

[*See* section 2 (1).]

The area comprised in the revenue village of Courtallam in the Tenkasi taluk of the Tirunelveli district, bounded on the—

North, by the revenue villages of Elanji and Melagaram,

East, by the revenue village of Melagaram,

South, by reserved forest,

West, by reserved forest and Elanji village.

TAMIL NADU LEGISLATIVE ASSEMBLY
TRUTH ALONE TRIUMPHS